HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.

WRIT PETITION NO.3592 OF 2006

PETITIONER Chandiram Seva Samiti Sangh, Through: its Secretary, Kialash Chandra Agrawal, S/o Chandiram Agrawal, Aged about 50 years, R/o. Village Lakhanpur, Tahsil Ambikapur, district Surguja (C.G.)

Vs.

RESPONDENTS

1. State of Chhattisgarh, Trhough: Secretary, Revenue Department, D.K.S. Bhawan, Raipur, District Raipur (Chhattisgarh)
2. Collector, Ambikapur, District Surguja (Chhattisgarh)
3. Sub Divisional Officer, Revenue, Ambikapur, District Surguja (CG)
4. Board of Revenue, Chhattisgarh, Bilaspur, Through: its member/President, Bilaspur (Chhattisgarh)

Present : Shri Manoj Paranjpe, learned counsel for the petitioner.
Shri Prashant Mishra, learned Addl. Advocate General with Shri Yashwant Singh, learned G.A. for the State of C.G. and its Authorities.
Shri Gurudev Sharan, learned counsel for the intervenor.

ORAL ORDER

(Passed on 25th July, 2006)

The petitioner feeling aggrieved by the order of the Collector, Ambikapur, District Surguja (Chhattisgarh), the second respondent herein, dated 16.08.2005 has preferred an appeal under Section 44 of the Chhattisgarh Land Revenue Code, 1959 (for short 'the Code') to the Board of Revenue. Along with the appeal, it is stated, the petitioner moved an application for stay. It is complained that two of the three officers including the President constituting the Board of Revenue have been on long leave and consequently, the application moved by the petitioner for stay is not likely to be considered and decided in the near

future though the case is now posted on 02.08.2006. When the Court pointed out the above position, Shri Prashant Mishra, learned Addl. Advocate General would submit that the Government, within a period of two weeks from today, would see that the Board of Revenue is properly constituted and functions.

(2) In that view of the matter, there is no need for this Court to consider the prayer of the petitioner to grant appropriate interim order. It is directed that immediately after the Board of Revenue is constituted/ composed, it will take up the application of the petitioner for consideration and pass appropriate order on merit without much loss of time. The writ petition is disposed of with the above direction. No costs,

Sd/-
Chief Justice